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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/720,784

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Mahesh Rajagopalan

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VERIZON  
PATENT MANAGEMENT GROUP  
1320 North Court House Road  
9th Floor  
ARLINGTON, VA 22201-2909

EXAMINER

ADDY, THJUAN KNOWLIN

ART UNIT

PAPER NUMBER

2614

NOTIFICATION DATE

DELIVERY MODE

09/15/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/720,784	<b>Applicant(s)</b> RAJAGOPALAN ET AL.	
	<b>Examiner</b> THJUAN K. ADDY	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-8,34-53,55,56 and 58-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4,6-8,56 and 58 is/are allowed.
- 6) ☒ Claim(s) 34-53,55 and 59-64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on July 02, 2010 has been entered. No claims have been amended. Claims 5, 9-33, 54, and 57 have been cancelled. No claims have been added. Claims 1-4, 6-8, 34-53, 55, 56, and 58-64 are still pending in the application, with claims 1, 34, 53, 56, 59, and 62 being independent.

### ***Allowable Subject Matter***

2. Claims 1-4, 6-8, 56, and 58 are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter: See Applicant Arguments/Remarks of 07/02/2010.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 53, 55, and 59-61 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either a specific and substantial asserted utility or a well established utility.
5. Applicant's specification supports only a statutory/hardware system/method with only a brief mention that such hardware/system/method can be or may be performed or substituted by various combinations of software and hardware without any adequate

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and enabling disclosure. Applicant's specification does not recite adequate nor enabling disclosure, as to "computer-readable storage medium".

6. Claims 53, 55, and 59-61 are also rejected under 35 U.S.C. 112, first paragraph. Specifically, since the claimed invention is not supported by either a specific and substantial asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 34-52 and 59-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fobert et al. (US 6,853,713), in view of Lindquist et al. (US 6,687,362), and further in view of McKinzie et al. (US Patent Application, Pub. No.: US 2004/0052356 A1).

8. In regards to claims 34, 59, and 62, Fobert discloses a computer-implemented method, a computer-readable storage medium, and a system for contact management comprising the steps implemented by one or more computers of: maintaining an address book (e.g., address book/address book database 21, See Fig. 1-2) for a user; receiving a command (for example, the command may simply be the user requesting to have the caller added to the address book/address book database 21) to add a party

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(e.g., caller) to the address book; obtaining contact-related information (e.g., information 30a, name 30c, and address 30d, See Fig. 7-8) associated with the party in response to the received command; storing the obtained contact-related information in the address book (See col. 7 lines 16-26). Fobert, or Lindquist, however, does not disclose periodically updating the contact-related information stored in the address book, independently of communications between the user and the party. McKinzie, however, does disclose periodically updating the contact-related information stored in the address book, independently of communications between the user and the party (for example, the address book of the customer is automatically updated when the information/profile of a communications partner is altered/updated, therefore, there is no communication required between the customer and the communications partner, in order for the customer's address book to be updated with the communications partner's information/profile) (See pg. 2, paragraph [0028] and pg. 3, paragraph [0039]).

9. In regards to claim 35, Fobert discloses the computer-implemented method, wherein maintaining an address book comprises maintaining the address book in a server (e.g., Terminal Proxy Server (TPS) 14, See Fig. 2) coupled to a network (e.g., data network/Internet 24, See Fig. 2) (See col. 5 lines 8-15).

10. In regards to claim 36, Fobert discloses the computer-implemented method, wherein maintaining an address book comprises maintaining an XML-over-HTTP web service in a database (See col. 5 lines 8-15 and col. 6 lines 22-32).

11. In regards to claims 37 and 38, Fobert discloses the computer-implemented method, wherein obtaining contact-related information comprises obtaining at least one

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of a name, a home address, a business address, a facsimile number, an e-mail address, an instant messenger address, an IP address, a cell phone number, a landline telephone number, an image, an audio signal, or a public record associated with the calling party (See col. 6 lines 22-32).

12. In regards to claims 39, 41, 42, and 43, Fobert discloses the computer-implemented method and system, wherein obtaining contact-related information comprises obtaining at least one of an image, an audio signal, or a public record associated with the party (See Fig. 7 and col. 5-6 lines 56-3).

13. In regards to claim 40, Fobert discloses the computer-implemented method, further comprising detecting an addition to the obtained contact-related information (See Fig. 7 and col. 5-6 lines 56-3).

14. In regards to claim 44, Fobert discloses the computer-implemented method, further comprising detecting a change in the obtained contact-related information by searching a plurality of network-based resources (See col. 7 lines 16-26).

15. In regards to claim 45, Fobert discloses the computer-implemented method, wherein searching a plurality of network-based resources comprises periodically searching said resources (See col. 7 lines 16-26).

16. In regards to claims 46, 47, 48, 49, and 50, Fobert discloses the computer-implemented method, wherein updating the address book to reflect the change in the contact-related information comprises automatically updating the address book without user intervention (See col. 7 lines 16-26).

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17. In regards to claim 51, Fobert discloses the computer-implemented method, further comprising: receiving instructions from the user that specify preferences for updating the address book (See col. 7 lines 16-26).

18. In regards to claim 52, Fobert discloses the computer-implemented method, wherein updating the address book to reflect the change in the contact-related information comprises updating the address book based on the preferences (See col. 7 lines 16-26).

19. In regards to claims 60 and 63, Fobert discloses all of claims 60 and 63 limitations, except the computer-readable storage medium and system, wherein periodically updating comprises refreshing the contact-related information stored in the address book at fixed intervals of time. Forbert, or Lindquist, however, does disclose periodically updating comprises refreshing the contact-related information stored in the address book at fixed intervals of time. McKinzie, however, does disclose periodically updating comprises refreshing the contact-related information stored in the address book at fixed intervals of time (See pg. 2, paragraph [0025] and pg. 3, paragraph [0039]).

20. In regards to claims 61 and 64, Fobert discloses all of claims 61 and 64 limitations, except the computer-readable storage medium, further comprising updating the address book to reflect contact-related information included in one or more other address book. Lindquist, however, does disclose updating the address book to reflect contact-related information included in one or more other address book (See col. 5-6 lines 54-3 and col. 6 lines 26-39).

***Response to Arguments***

21. Applicant's arguments with respect to claims 1-4, 6-8, 53, 55, 56, and 58-61 have been considered but are moot in view of the new ground(s) of rejection.

22. Applicant's arguments filed 07/02/2010, in regards to claims 34-52 and 59-64 have been fully considered but they are not persuasive.

23. In response to Applicant's arguments, regarding claims 34-52 and 59-64, that McKinzie cannot be relied as prior art under 35 U.S.C. 103(a) for its alleged teachings of "periodically updating the contact-related information stored in the address book, independently of communications between the user and the party", Examiner respectfully disagrees. Although McKinzie was filed on September 18, 2002, and the present application is a continuation in part of U.S. Patent Application No. 10/083,793, filed on February 27, 2002, which claims benefit of priority to, among others, U.S. Provisional Application No.. 60/276,505, which was filed on March 19, 2001, Examiner would like to bring to Applicant's attention that U.S. Patent Application No. 10/083,793 does not teach, suggest, or disclose the limitation of "periodically updating the contact-related information stored in the address book, independently of communications between the user and the party". Therefore, the present application, which is **continuation in part** of U.S. Patent Application No. 10/083,793, cannot be given the benefit of the filing data of February 27, 2002. Therefore, McKinzie can be relied as prior art under 35 U.S.C. 103(a) for its alleged teachings of "periodically updating the contact-related information stored in the address book, independently of communications between the user and the party".

***Conclusion***

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/  
Primary Examiner, Art Unit 2614